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ABSTRACT

This report consists of: (1) a salary study which examines salaries paid to full-time faculty at Kansas State Teachers College by differences in sex, rank, and department; and (2) a copy of KSA 44-1101 - 1109, a law enacted by the 1970 Kansas legislature, providing equal pay for equal work, regardless of the sex of the employee. Tables in the study show: (1) 9-month average salaries, 1969-70, by rank and sex, college-wide; (2) the same but by department; (3) Board of Regent's suggested 9-month salary guidelines, and the faculty who are above and below maximum and minimum levels, by sex and department; (4) 1969-70 average raises, both percent and absolute dollars, by sex; (5) 9-month average salaries by rank, sex, and department, for new full-time faculty hired Fall 1969; and (6) 9-month average salaries by rank and sex, on a college-wide basis, for new full-time faculty hired, Fall 1969. The findings are that women full-time faculty members experience discrimination throughout the College in matters of salaries for their respective academic ranks. Not only do women earn less on the average than their male counterparts, but they receive lower percentage raises. Recommendations to rectify this situation are made. (AF)

ED043310

K. S. T. C. Chapter of

American Association of University Professors

Report 1. of Committee on the Status of Women

(Virginia Higgins, Chairman; Marie Bickett, Pat Browne, Richard Keeling, Patrick McDonough, Marcella Mouser, and Margaret Stutsman.)

Attached to this report are two items: (1) a salary study which examines salaries paid to full-time faculty at K. S. T. C. by differences in sex, rank, and department; (2) a copy of KSA 44-1101 through 1109, a law enacted by the 1970 Kansas legislature, providing equal pay for equal work, regardless of the sex of the employee.

The salary study is based upon the original figures from the print-out provided A. A. U. P. by Walter Clark's office. Members of this committee spent considerable time verifying the original information relating to the factors of faculty being employed full-time within specific departments, faculty rank, and sex. We discovered several instances where faculty were omitted from the original print-out, or faculty listed with incorrect rank designation. A few additional peculiarities were discovered, such as full-time lecturers in some departments being included within the original print-out, but the same in some other departments being omitted. We tried wherever possible to correct these errors. A few, not many, salaries were not on the original print-out. We doubt that these few omissions should seriously affect the integrity of this document.

Department heads have been figured in all the tables within their respective ranks. All salaries reported are based upon 9 months pay. "Full-time faculty" is used to designate a faculty member whose salary is budgeted on a full-time position. We are aware that in several instances there are faculty members who teach full-time class loads but who are employed or budgeted on a less-than-full-time basis; these faculty (on less-than-full-time positions) do not figure in this study.

The following tables are provided for your study:

(1) Table 1, showing 9 month average salaries, 1969-70, by rank and by sex, college-wide (without regard to individual departments).

(2) Table 2, showing 9 month average salaries, 1969-70, by rank, sex, and department.

(3) Table 3, showing Board of Regents' suggested 9 month salary guidelines (1969-70) and the faculty whose salaries are above and below the maximum and minimum levels, by sex and by department.

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(4) Table 4, showing 1969-70 average raises (over 1968-69 salaries), both percent and absolute dollars, by sex.

(5) Table 5, showing 9 month average salaries by rank, sex, and department, for new full-time faculty hired last fall.

(6) Table 6, showing 9 month average salaries by rank and sex, on a college-wide basis, for new full-time faculty hired last fall.

KSA 44-1101 through 1109 is an act passed in the 1970 Kansas legislature and takes effect July 1, 1970. This is the state version of the federal equal employment laws regarding sex. A copy of this bill was provided to us by the Kansas State Labor Commissioner, who is responsible for enforcement of the act.

The act basically provides "equal pay for equal work" regardless of the sex of the employee. The Labor Commissioner indicated that the act was not as strong as it should be, but it does provide a legal basis for complaints on sex discrimination.

Section 1. provides the rationale for the act and declares that "It is...the policy of this state to correct and as rapidly as possible to provide equal pay for equal work and to eliminate discriminatory employment practices based upon sex."

Section 2. defines the terms used in the act, and of importance to this study, defines "employees" as "any individual employed by an employer, including individuals employed by the state or any of its political subdivisions including public bodies."

Section 3. prohibits discrimination in employment or hiring on the basis of sex; prohibits discrimination in wages on the basis of sex; prohibits an employer from reducing any employee's wage in order to comply with the act; prohibits any coercion of employers by persons who would attempt to have employers violate the terms of the act; prohibits an employer from discharging or otherwise discriminating against employees who attempt to assist or invoke enforcement of the act; and pursuant to a pension, retirement, profit-sharing, welfare or death benefit plan, provides for differences in retirement dates, benefits for widows or widowers, and other employee benefits.

Section 4. empowers the State Labor Commissioner with the enforcement of the act.

Section 5. provides for payment of wages to an injured employee "in an amount equal to the wages such person would have received but for such violation...."

Section 6. states that court action must begin no later than two years after the cause of the action occurs.

Section 7. requires every employer subject to this act to make and maintain records of wages, rates, job classifications, and other conditions of employment, and make reports of them to the state labor commissioner if requested.

Section 8. requires employers to keep an abstract or copy of this act "posted in a conspicuous place in or about the premises wherein any employee is employed."

Section 9. provides for the validity of the remaining portions of the act, should some portion of it be found invalid.

Section 10. provides the effective date of the act, after publication in the statute book (July 1, 1970).

FINDINGS

Women full-time faculty members experience wide discrimination throughout the college in matters of salaries for their respective academic ranks. Male instructors average $842. more than female instructors. Male assistant professors average $1,082. more than female assistant professors. Male associate professors average $635. more than female associate professors. Male professors average $1,771. more than female professors (male department heads are included within this average--there is only one female department head, but her rank is associate professor). No average was compiled on a college-wide basis for lecturers because the term "lecturer" has little constant meaning among departments.

Some who would argue with the findings of this document would be tempted to suggest that men are more qualified, or have been employed here longer, and thus should have a higher salary average than women. The answer to this charge is so obvious that it is frequently overlooked. We must assume that there have been at least some minimal standards in placing individual faculty members within certain ranks, even if these standards have not been applied consistently among the various departments. Therefore, at least in theory, male instructors and female instructors should have essentially similar qualifications. If their qualifications are not essentially similar--that is, if there is a wide disparity in their qualifications, one of them is holding the wrong rank. Examination of Table 2, 1969-70 Average Salaries--by Department, Rank, and Sex, will show that within the same department, faculty members who are female receive lower-average salaries than their male counterparts (with the same rank) in 26 of 31 comparable cases. Some of these salary gaps are flagrant insults to the female faculty member. The largest disparity occurs in Music, at the rank of associate professor: females average $2,084 less than males; in Music, at the rank of instructor, females average $2,007 less than males; in Music, at the rank of assistant professor, females average $1,625 less than males. In Education--Laboratory Schools, at the rank of associate professor, females average $2,020 less than males. In Business, at the rank of assistant professor, females average $1,449 less than males. In Library Science, at the rank of assistant professor, females average $1,327 less than males. In Social Sciences, at the rank of assistant professor, females average $895 less than males. In Art, at the rank of instructor, females average $828 less than males. In English, at the rank of

assistant professor, females average $826 less than males. In the five instances where there are male and female faculty members within the same department, having the same rank, and where female averages exceed male averages, the largest gap is by $666.

Women faculty who have been employed for a period of years are often told that "things are getting better." The administration, including some department heads, have suggested that they are giving higher percentage raises to women in order to catch them up to the men. Although this may be true in some individual cases, it is patently untrue when viewed from the college as a whole. Reference to Table 4, 1969-70 Raises (over 1968-69 Salary) will show that, not only are women receiving fewer absolute dollars in their raises, but they are also receiving a lower percentage raise. Until women are given higher percentage raises they can never hope to catch up to their male counterparts in terms of salary. As long as females receive a lower percentage, and as long as their salaries are lower, the disparity between female and male salaries will grow rather than diminish.

If "things are getting better" as women have been told, it would be reasonable to expect this new attitude to be reflected in the hiring policies of new faculty whose duties began last fall. In every comparable instance, on a college-wide basis, men were employed at a higher average salary for their rank than were women for the same rank. (See Table 6.) "Things are getting worse."

An examination of Table 3 will show that this college operates under a policy of keeping women down. Although there are both men and women whose salaries are below the minimum level for their rank, the percentage is higher for women (more women operate below the minimum levels than do men, both in absolute numbers and in terms of the percent of their sex). And, further examination will show that apparently it's permissable in a few cases for males to exceed the maximum guideline levels, but in no instances do females exceed the maximum.

Although the committee members realize some reasons for lower salaries for female faculty (hiring on at a low salary, being immobile because of marriage, being viewed by the administration as a "faculty wife" and reluctance on the part of some female faculty to question or challenge), the committee has not been presented with any defensible rationale for a continuation of this policy. We realize that there are many faults with the college salary "policy"--chief among these is that there is no real system. The only real system discovered is the current policy of keeping women down. We believe that professionally this is not justified. It is also illegal.

RECOMMENDATIONS

The Committee on the Status of Women recommends the following action:

1. That the K. S. T. C. chapter of the American Association of University Professors endorse this report.

2. That the chapter empower the chairman of this committee to present this report to President Visser.

3. That the chapter authorize the chairman of this committee to seek redress of the salary inequities between the sexes by conference with President Visser.

4. That this chapter request President Visser to exercise his executive authority to intercede in this salary matter and: (1) to effect salary changes on an equal basis between the sexes of his faculty by the beginning of the Fall, 1971 semester, and (2) to present to the faculty an acceptable plan for the payment of salaries on an equal work-equal pay basis, to be presented before the end of the Fall, 1970 semester.

5. That the chapter recommend that President Visser officially endorse KSA 44-1101 through 1109, and have a copy or legitimate abstract of it printed in the Faculty-Staff Handbook for 1970-71.

6. That the chapter seek to have created within the structure of the Faculty Senate a Senate Committee on the Status of Women, with full power to investigate and recommend corrective measures in all areas of discrimination based upon sex which are within the jurisdiction of the Faculty Senate.

(The above recommendations were adopted unanimously May 21, 1970, by the K. S. T. C. chapter of the American Association of University Professors.)

Table 1

1969-70
Average Salaries -- College Wide
(All Academic Departments Included)

Instructors	Assistants	Associates	Professors
Male (32) $7,847.	Male (91) $9,423.	Male (70) $10,664.	Male (39) $13,053.
Female (22) $7,005.	Female (36) $8,341.	Female (19) $10,029.	Female (4) $11,282.

(Department heads included within their respective ranks. Salary shown above is on a 9 month basis.)

Table 2

1969-70
Average Salaries -- by Department, Rank, and Sex

		Male		Female	
English	Lecturer	$7,605.	(1)	Lecturer	$7,782. (3)
	Instructor	7,230.	(4)	Instructor	7,194. (3)
	Assistant	9,439.	(8)	Assistant	8,613. (1)
	Associate	11,155.	(2)	Associate	none
	Professor	13,026.	(3)	Professor	11,152. (1)
Foreign Language		Male		Female	
	Lecturer	none		Lecturer	6,804. (2)
	Instructor	none		Instructor	none
	Assistant	9,045.	(2)	Assistant	8,574. (3)
	Associate	10,953.	(2)	Associate	none
	Professor	11,727.	(2)	Professor	none
Mathematics		Male		Female	
	Lecturer	none		Lecturer	9,000. (1)
	Instructor	none		Instructor	7,065. (1)
	Assistant	9,724.	(5)	Assistant	none
	Associate	11,547.	(4)	Associate	11,385. (1)
	Professor	14,400.	(2)	Professor	none

Psychology	Male	Female
Lecturer	none	none
Instructor	7,200. (1)	7,596. (1)
Assistant	10,553. (5)	none
Associate	11,009. (4)	none
Professor	12,006. (2)	none

Social Sciences	Male	Female
Lecturer	none	none
Instructor	8,399. (6)	none
Assistant	9,679. (7)	8,784. (1)
Associate	10,801. (9)	none
Professor	13,671. (6)	none

Art	Male	Female
Lecturer	none	none
Instructor	7,857. (1)	7,029. (1)
Assistant	8,507. (4)	none
Associate	9,432. (2)	none
Professor	12,720. (3)	none

Business	Male	Female
Lecturer	none	none
Instructor	7,980. (8)	7,914. (3)
Assistant	9,459. (5)	8,010. (1)
Associate	10,281. (6)	10,026. (3)
Professor	13,762. (3)	none

Library Science	Male	Female
Lecturer	none	none
Instructor	none	6,525. (1)
Assistant	9,409. (2)	8,082. (2)
Associate	10,314. (3)	10,980. (2)
Professor	14,850. (1)	none

Library Services	Male	Female
Lecturer	none	none
Instructor	6,840. (1)	6,377. (6)
Assistant	7,583. (2)	6,910. (4)
Associate	none	none
Professor	none	10,764. (1)

Music	Male		Female	
Lecturer	10,305.	(1)	Lecturer	none
Instructor	9,000.	(1)	Instructor	6,993. (1)
Assistant	9,995.	(9)	Assistant	8,370. (2)
Associate	11,030.	(7)	Associate	8,946. (3)
Professor	10,206.	(1)	Professor	none

Biology	Male		Female	
Lecturer	none		Lecturer	none
Instructor	7,002.	(1)	Instructor	none
Assistant	9,371.	(5)	Assistant	9,801. (1)
Associate	10,416.	(7)	Associate	9,765. (1)
Professor	13,248.	(4)	Professor	11,880. (1)

Physical Sciences	Male		Female	
Lecturer	none		Lecturer	none
Instructor	7,470.	(2)	Instructor	none
Assistant	9,916.	(9)	Assistant	none
Associate	10,794.	(6)	Associate	none
Professor	14,950.	(1)	Professor	none

Speech	Male		Female	
Lecturer	6,435.	(1)	Lecturer	none
Instructor	7,402.	(2)	Instructor	7,065. (3)
Assistant	8,717.	(6)	Assistant	none
Associate	11,217.	(3)	Associate	none
Professor	14,175.	(1)	Professor	none

Home Economics	Male		Female	
Lecturer	none		Lecturer	none
Instructor	none		Instructor	none
Assistant	none		Assistant	none
Associate	none		Associate	10,230. (3)
Professor	none		Professor	none

Industrial Arts	Male		Female	
Lecturer	none		Lecturer	none
Instructor	none		Instructor	none
Assistant	9,630.	(1)	Assistant	none
Associate	9,996.	(3)	Associate	none
Professor	13,014.	(2)	Professor	none

Physical Education and Health	Male		Female	
	Lecturer	none	Lecturer	7,200. (1)
	Instructor	8,313. (3)	Instructor	none
	Assistant	9,158. (5)	Assistant	8,489. (6)
	Associate	10,347. (3)	Associate	10,170. (2)
	Professor	12,398. (2)	Professor	11,340. (1)

Education	Male		Female	
	Lecturer	9,900. (1)	Lecturer	none
	Instructor	7,002. (1)	Instructor	none
	Assistant	9,717. (9)	Assistant	9,475. (5)
	Associate	10,241. (7)	Associate	10,727. (2)
	Professor	12,696. (5)	Professor	none

Education - Lab Schools	Male		Female	
	Lecturer	none	Lecturer	none
	Instructor	7,776. (1)	Instructor	7,061. (2)
	Assistant	8,259. (7)	Assistant	8,050. (10)
	Associate	11,043. (2)	Associate	9,023. (2)
	Professor	none	Professor	none

(The salaries above are based on 9 months. They reflect only those faculty members employed on a full-time basis. There are some faculty who actually have full-time loads but whose contracts are based on less-than-full-time salary; they have not been figured in. In a few instances, salaries were not available.)

Table 3

Faculty Below Minimums and Above Maximums
of
1969-70 Board of Regents Suggested Salary Guidelines
(9 months)

Rank	Min. & Max. Levels	Males Above Max.	Males Below Min.	Females Above Max.	Females Below Min.
Instructor	$6,400. 9,600.	none	none	none	4 - (3) Librarians (6,381; 6,381; 5,859) (1) Speech (6,390)
Assistant	7,600. 11,400.	2 - Psy. (11,448 & 11,448)	2 - (1) Eng. (6,415) (1) Librarian (7,065	none	5 - (4) Librarians (7,335; 6,750; 5,994; 7,560) (1) Library Science (7,254)
Associate	8,800. 13,200.	1 - Music (13,500)	1 - Music (8,514)	none	1 - Music (8,514)
Professor	10,500. 15,750.	none	3 - (1) P.E. (10,395) (1) F. Lang. (10,179) (1) Music (10,206)	none	none

Table 4

1969-70 Raises (over 1968-69 Salary)

Sex	Average Percent	Average Dollars
Male (190)	8.06	$763.10
Female (56)	7.85	622.87

Table 5

New Faculty Hired -- 1969-70
Average Salaries -- by Department, Rank, and Sex

English	**Male**		**Female**	
	Lecturer	$7,605. (1, M.A.)	Lecturer	$6,300. (1, M.A.)
	Instructor	none	Instructor	none
	Assistant	10,280. (3)	Assistant	none
	Associate	none	Associate	none
	Professor	none	Professor	none
Foreign Languages	**Male**		**Female**	
	Lecturer	none	Lecturer	6,804. (2)
	Instructor	none	Instructor	none
	Assistant	none	Assistant	9,000. (1)
	Associate	11,196. (1)	Associate	none
	Professor	none	Professor	none
Psychology	**Male**		**Female**	
	Lecturer	none	Lecturer	none
	Instructor	7,200. (1)	Instructor	7,596. (1)
	Assistant	10,008. (1)	Assistant	none
	Associate	12,150. (1)	Associate	none
	Professor	none	Professor	none
Mathematics	**Male**		**Female**	
	Lecturer	none	Lecturer	9,000. (1)
	Instructor	none	Instructor	none
	Assistant	10,503. (1)	Assistant	none
	Associate	none	Associate	none
	Professor	none	Professor	none
Social Sciences	**Male**		**Female**	
	Lecturer	none	Lecturer	none
	Instructor	8,607. (3, M.A.'s)	Instructor	none
	Assistant	9,927. (1, M.S.)	Assistant	8,784. (1, Ed.D.)
	Associate	none	Associate	none
	Professor	none	Professor	none

(The 3 male instructors, all with M.A.'s, salaries as follows: 8,784; 8,784; 8,253. Compare with female assistant, with Ed.D., of 8,784.)

Art none hired

Business	**Male**	**Female**
Lecturer	none	none
Instructor	7,650. (2)	none
Assistant	none	none
Associate	none	none
Professor	none	none

Library Science none hired

Library Service (One female lecturer was hired, but salary was unavailable.)

Music	**Male**	**Female**
Lecturer	none	none
Instructor	9,000. (1, B.M.)	none
Assistant	10,503. (1, M.M.)	9,000. (1, M.M.)
Associate	none	none
Professor	none	none

Biology none hired

Physical Sciences	**Male**	**Female**
Lecturer	none	none
Instructor	6,750. (1)	none
Assistant	none	none
Associate	none	none
Professor	none	none

Speech	**Male**	**Female**
Lecturer	6,435. (1, B.A.)	none
Instructor	7,200. (1)	7,403. (2)
Assistant	9,450. (1)	none
Associate	none	none
Professor	none	none

(Has 1 female instructor with M.S. and 6 years at K.S.T.C. at a salary of $6,390. Compare with male lecturer above with B.A.)

Home Economics	Male	Female
Lecturer	none	none
Instructor	none	none
Assistant	none	none
Associate	none	11,700. (1)
Professor	none	none

Industrial Arts	Male	Female
Lecturer	none	none
Instructor	none	none
Assistant	none	none
Associate	(1)	none
Professor	none	none

(1 male associate hired in Jan., 1970; salary unavailable.)

Physical Education and Health	Male	Female
Lecturer	none	none
Instructor	7,839. (1)	none
Assistant	9,135. (4)	9,450. (1)
Associate	none	none
Professor	none	none

(Female assistant above had worked here before, was on leave last year.)

Education	Male	Female
Lecturer	9,900.(1)	none
Instructor	7,002.(1)	none
Assistant	11,102.(2)	10,575. (1)
Associate	none	none
Professor	none	none

Education - Lab Schools	Male	Female
Lecturer	none	none
Instructor	none	none
Assistant	7,965. (1)	8,001. (1)
Associate	13,050. (1)	none
Professor	none	none

Table 6

Faculty Hired -- 1969-70
College-Wide Averages

	Male	Female	Difference
Lecturer	$7,980. (3)	$7,177. (4)	$803.
Instructor	7,828. (11)	7,403. (2)	425.
Assistant	9,863. (15)	9,135. (6)	728.
Associate	12,132. (3)	11,700. (1)	432.
Professors	none	none	

KSA 44-1101 through 1109
effective July 1, 1970
House Bill 1916

AN ACT relating to employment practices, prohibiting discrimination in the employment of persons and the fixing of wages on the basis of sex; granting certain authority and imposing certain duties in connection therewith upon the state labor commissioner; providing for the administration of the provisions of the act; providing certain remedies and compensation for damages for persons aggrieved.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The practice of providing equal pay for equal work, and equal opportunity to all persons regardless of sex, prevents discriminatory practices and affirms the principle that work has a measurable value which, when justly and equitably administered, improves and supports the general welfare of the citizens of Kansas:

(1) Leads to high worker morale, low turnover and assures an orderly method for solving the problem of labor unrest;
(2) Encourages workers to train for higher level jobs;
(3) Increases employment opportunities and decreases labor costs;
(4) Improves purchasing power and maintains an adequate standard of living for workers and their families;
(5) Provides for the optimum utilization of the state's available labor resources;
(6) Prevents unjust discrimination against the person receiving the lesser rate.
(b) It is therefore declared to be the policy of this state to correct and as rapidly as possible to provide for equal pay for equal work and to eliminate discriminatory employment practices based upon sex.

Section 2. (a) "Employee" means any individual employed by an employer, including individuals employed by the state or any of its political subdivisions including public bodies.

(b) "Employer" includes any person acting directly or indirectly in the interest of an employer in relation to an employee.
(c) "Wage rate" means all compensation for employment, including payment in kind and amounts paid by employers for employee benefits, as defined by the commissioner in regulations issued under this act.
(d) "Employ" includes to suffer or permit to work.
(e) "Occupation" includes any industry, trade, business or branch thereof, or any employment or class of employment.
(f) "Commissioner" means the state labor commissioner.
(g) "Person" includes one or more individuals, partnerships, corporations, legal representatives, trustees, trustee in bankruptcy, or voluntary associations.

Section 3. (a) No employer shall discriminate in the employment or hiring of persons on the basis of sex unless sex is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise: Provided, however, That such occupational qualification shall be determined in the sole discretion of the employer.

(b) No employer shall discriminate between employees in the same establishment on the basis of sex, by paying wages to any employee in any occupation in this state at a rate less than the rate at which he pays any employee of the opposite sex for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility. Differentials which are paid pursuant to established seniority systems or merit increase systems, which do not discriminate on the basis of sex, are not within this prohibition.
(c) An employer who is paying a wage differential in violation of this act shall not, in order to comply with it, reduce the wage rates of any employee.
(d) No person shall cause or attempt to cause an employer to discriminate against any employee in violation of this act.
(e) No employer may discharge or discriminate against any employee by reason of any action taken by such employee to invoke or assist in any manner the enforcement of this act.
(f) Nothing contained herein makes it an unlawful wage payment practice for an employer, pursuant to a pension, retirement, profit-sharing, welfare or death benefit plan, to: (1) Provide for the retirement of female employees at a different age than male employees: or (2) provide differences in benefits between widows and widowers of employees: or (3) provide differences in benefits on the basis of sex, if the benefits to be provided are substantially equivalent, or if the cost to the employer of providing such benefits are substantially equivalent, or if the benefits to be provided are particularly appropriate to the sex of such employees.

Section 4. (a) The commissioner of labor shall have power and it shall be his duty to carry out the provisions of this act.

(b) The commissioner is hereby authorized to endeavor to eliminate pay practices unlawful under this act, by informal methods of conference, conciliation and persuasion, and to supervise the payment of wages owing to any employee under this act.
(c) The commissioner is hereby authorized to adopt such regulations, not inconsistent with the purpose of this act, as he deems necessary and appropriate to carry out its provisions.

Section 5. (a) Any employer who violates the provisions of section 3 of this act shall be liable to the employee or employees or the applicant for employment affected, in an amount equal to the wages such person would have received but for such violation, and in instances of willful violation in employee suits under subsection (b) of this section, up to an additional equal amount as liquidated damages.

(b) Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated. The court in such action shall, in cases of violation, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(c) After July 1, 1973, no agreement by any such employee to work for less than the wage to which such employee is entitled under this act shall be a bar to any such action, or to a voluntary wage restitution of the full amount due under this act.

(d) The commissioner or any person aggrieved shall have power to petition any court of competent jurisdiction to restrain violations of section 3, and for such affirmative relief as the court may deem appropriate, including restoration of unpaid wages and reinstatement of employees, consistent with the purpose of this act.

Section 6. Court action under this act may be commenced no later than two (2) years after the cause of action occurs.

Section 7. Every employer subject to this act shall make, keep, and maintain such records of the wages and wage rates, job classifications, and other terms and conditions of employment of the persons employed by him, and shall perserve [sic] such records for such periods of time, and shall make such reports therefrom as the commissioner shall prescribe.

Section 8. Every person subject to this act shall keep an abstract or copy of this act posted in a conspicuous place in or about the premises wherein any employee is employed. Employers shall be furnished copies or abstracts of this act by the state on request without charge.

Section 9. If any provision of this act or the application of such provision to any person or circumstance is held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Section 10. This act shall take effect and be in force from and after its publication in the statute book.